

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

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William McDermott,

Plaintiff,

vs.

ORDER ADOPTING REPORT
AND RECOMMENDATION

Rich Morgante, Commissioner,
et al.,

Defendants.

Civ. No. 06-1071 (JMR/RLE)

* * * * *

Based upon the Report and Recommendation of the United States Magistrate Judge Raymond L. Erickson, and after an independent review of the files, records and proceedings in the above-entitled matter, **IT IS ORDERED:**

1. That the Motion of the County Defendants to serve and file a Motion for Summary Judgment [Docket No. 78] is granted.
2. That the County Defendants are allowed to serve and file a Motion for Summary Judgment, **by no later than January 30, 2009.**
3. That all Memoranda in opposition to the County Defendants' Motion for Summary Judgment, together with any Affidavits and Exhibits, are to be served and filed **by no later than February 27, 2009.**
4. That all Reply Memoranda are to be served and filed **by no later than March 13, 2009.** The parties are reminded that all other evidentiary submissions may not be served in

conjunction with a Reply Memorandum, unless express leave has been obtained, in advance, from the Court. See, L.R.7.1(b)(1)(c), Local Rules for the United States District Court for the District of Minnesota.

5. That there shall be no Hearing on the Motion presented by the parties, unless the Court determines that oral argument is essential to secure the just, speedy, and inexpensive determination of this action. See, Rule 1, Federal Rules of Civil Procedure.

Dated: January 12, 2009

s/James M. Rosenbaum
Judge James M. Rosenbaum
United States District Court